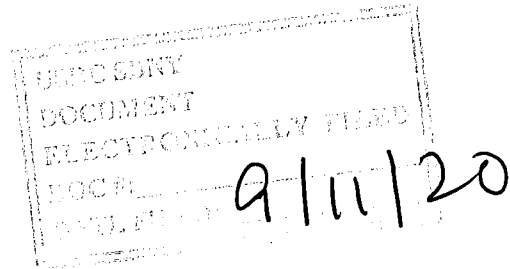


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UZIEL JIMENEZ JR., as Administrator of the :
Estate of Francisco Jimenez, and CESAR :
JIMENEZ, :
Plaintiffs, :
v. :
CITY OF NEW ROCHELLE, RICHARD :
GARGAN, in his individual and official capacity, :
CARLOS JIMENEZ, in his individual and official :
capacity, STEPHEN CORREALE, his individual :
and official capacity, RAYMOND BECKLEY, in :
his individual and official capacity, ROBERT :
MANSFIELD, in his individual and official :
capacity, JUAN TORRES, in his individual and :
official capacity, ALEC MCKENNA, in his :
individual and official capacity, ROBERT :
WENZLER, in his individual and official capacity, :
and JOSEPH NIEVES, in his individual and :
official capacity, :
Defendants. :
-----X



ORDER

17 CV 8432 (VB)

Defendants having filed a partial motion to dismiss the amended complaint pursuant to Rule 12(b)(6) (Docs. ##50, 54), it is HEREBY ORDERED:

1. Defendants' motion is DENIED. A conference is scheduled for October 21, 2020, at 10:00 a.m., at which time the Court will issue a bench ruling explaining the basis for its decision. The parties shall use the following information to connect by telephone:

Dial-In Number: (888) 363-4749 (toll free) or (215) 446-3662;
Access Code: 1703567.

2. By October 2, 2020, counsel shall file on the ECF docket their proposed revised Civil Case Discovery Plan and Scheduling Order, the blank form for which is attached to the Notice of Initial Conference, dated February 28, 2018 (Doc. #25).

3. The Clerk is instructed to terminate the motion. (Docs. ##50, 54).

Dated: September 11, 2020
White Plains, NY

SO ORDERED

Vincent L. Briccetti
United States District Judge